



**Judges' Retirement System II**

P.O. Box 942705

Sacramento, CA 94229-2705

Telecommunications Device for the Deaf - (916) 795-3240

(916) 795-3688, FAX (916) 795-1500

**DISTRIBUTION OF JRS II CONTRIBUTIONS OR MONETARY CREDITS**

**Important: This form must be completed and returned to the Judges' Retirement System II (JRS II) for your refund of JRS II contributions or Monetary Credits to be processed. YOUR REFUND OR ROLLOVER ELECTION CANNOT BE PROCESSED UNTIL THIS FORM IS RECEIVED BY THE JRS II, PO Box 942705, Sacramento, CA 94229-2705, Section 162.**

**Please read the instructions on page 4 of this form and type or print all responses.**

1. \_\_\_\_\_ Member  
2. \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Social Security Number  
3. \_\_\_\_\_ Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code  
4. (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Daytime Phone  
5. \_\_\_\_\_ Last Day on the Bench (mm/dd/yyyy)

**Refund Election**

6. \_\_\_\_\_ I have elected a refund of my retirement contributions/Monetary Credits to be paid directly to me. I have been provided with tax information on my JRS II refund. I understand that 20% of the taxable amount of my contributions and interest will be withheld for Federal Income Tax. (Notarized signatures are required)

\_\_\_\_\_  
Member Signature

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Spouse/Registered Domestic Partner Signature

\_\_\_\_\_  
Date (mm/dd/yyyy)

**State of California, County of** \_\_\_\_\_

**On** \_\_\_\_\_ **before me,** \_\_\_\_\_,  
Date (mm/dd/yyyy) Name of Notary or Judges' Retirement System Representative

**Personally appeared** \_\_\_\_\_, **personally known to me or (proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.**

**Notary Seal**

**Witness my hand and official seal OR authorized Judges' Retirement System Representative signature.**

\_\_\_\_\_  
Signature of Notary or JRS Representative

\_\_\_\_\_  
Position Title

\_\_\_\_\_  
Date (mm/dd/yyyy)

\_\_\_\_\_  
Printed Name

California Public Employees' Retirement System

[www.calpers.ca.gov](http://www.calpers.ca.gov)

**Direct Rollover Election**

7. \_\_\_\_\_ I request the taxable portion of my retirement contributions/Monetary Credits be directly rolled over to:

8. Type of Account: \_\_\_\_\_ IRA \_\_\_\_\_ Other eligible retirement plan

9. \_\_\_\_\_ 10. \_\_\_\_\_  
Name of Institution of Plan Account or Contract Number

11. \_\_\_\_\_ 12. \_\_\_\_\_ 13. \_\_\_\_\_  
Street Address City State Zip Code

12. \_\_\_\_\_ 13. \_\_\_\_\_  
Plan Name Plan Sponsor

14. \_\_\_\_\_ OR 15. \_\_\_\_\_  
Routing Number and Check Digit Employer Identification Number

**DO NOT SUBMIT TRANSFER FORM OF FINANCIAL INSTITUTION IN LIEU OF THIS FORM.**

**I certify that the institution or plan named is eligible under the provisions of the Internal Revenue Code to accept a rollover by direct transfer and agrees to receive my JRSII funds and deposit them as indicated.**

16. \_\_\_\_\_  
Member Signature Date (mm/dd/yyyy)

\_\_\_\_\_  
Spouse/Registered Domestic Partner Signature Date (mm/dd/yyyy)

**State of California, County of** \_\_\_\_\_

**On** \_\_\_\_\_ **before me,** \_\_\_\_\_,  
Date (mm/dd/yyyy) Name of Notary or Judges' Retirement System Representative

**Personally appeared** \_\_\_\_\_, **personally known to me or (proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.**

**Notary Seal**

**Witness my hand and official seal OR authorized Judges' Retirement System Representative signature.**

\_\_\_\_\_  
Signature of Notary or JRS Representative Position Title Date (mm/dd/yyyy)

\_\_\_\_\_  
Printed Name

**Justification for Absence of Spouse/Registered Domestic Partner's Signature**

17. Pursuant to Government Code Section 21261, the member's current spouse/registered domestic partner must be made aware of the selection of benefits. The spouse/registered domestic partner of a member of our Systems must acknowledge the submission of a request for refund or rollover of contributions.

☐ I am not legally married/in a registered domestic partnership (choose appropriate box):

☐ Never married/had a partnership

☐ Divorced/marriage/partnership annulled. \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Month Day Year

☐ Widowed \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Month Day Year

☐ I am married/in a partnership, but my spouse/registered domestic partner did not sign the form because either:

☐ I do not know and have taken all reasonable steps to determine the whereabouts of my spouse/registered domestic partner,

**OR**

☐ My spouse/registered domestic partner has been advised of the application and has refused to sign the acknowledgment,

**OR**

☐ My spouse/registered domestic partner is incapable of executing the acknowledgment because of an incapacitating mental or physical condition,

**OR**

☐ My spouse/registered domestic partner has no identifiable community property interest in the benefit,

**OR**

☐ My spouse/registered domestic partner and I have executed a marriage/partnership settlement agreement, which makes the community property law inapplicable to the marriage/partnership.

**I hereby certify, under the penalty of perjury, that the foregoing information is true and correct.**

\_\_\_\_\_  
18. Signature of Member

\_\_\_\_\_  
Date (mm/dd/yyyy)

**INSTRUCTION INFORMATION ON COMPLETING THIS FORM**

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**1-5 Provide the requested information**

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**6. *CHECKING THIS BOX INDICATES YOUR REQUEST FOR A REFUND OF YOUR RETIREMENT CONTRIBUTIONS.***

Complete this box only if you are requesting that the refund of your contributions/Monetary Credits be mailed directly to your home address. *Be aware that a refund of tax deferred member contributions carry tax liabilities.* Both you and your spouse's signatures must be notarized. If a spouse/registered domestic partner's signature will not be provided, please complete #16, Page 3, **"Justification for Absence of Spouse/Registered Domestic Partner's Signature"**.

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**It is your responsibility that the information provided is accurate. The JRS II will not investigate routing or account numbers for verification.**

**Please check with the financial institution or plan administrator for the following information:**

**7. *CHECKING THIS BOX IS A REQUEST FOR A ROLLOVER OF THE TAXABLE PORTION OF YOUR RETIREMENT CONTRIBUTIONS TO A QUALIFIED PLAN.***

**8. Type of Account.** Check the box that indicates whether your account will be transferred to an individual Retirement Account (IRA) or another eligible retirement plan.

**9. Name of Institution or Plan.** Provide the name of the financial institution or plan that will receive the funds.

**10. Account or Contract Number.** Enter the account or contract number of the plan to which the money is to be transferred.

**11. Address.** Provide the address of the financial institution or plan.

**12. Plan Name.** Enter the name of the plan.

**13. Plan Sponsor** (For eligible retirement plans only). Enter the name of the plan's sponsor, if it is different from the institution named in item 11.

**14. Routing Number and Check Digit.** If the check is to be sent to a financial institution for deposit in an IRA or similar account, enter the nine-digit routing number and check digit of the financial institution.

**OR**

**15. Employer Identification Number.** If the warrant is to be sent to an eligible plan sponsored by an employer, enter the plan's nine-digit employer identification number.

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**16. Signature and Date where indicated.** Both you and your spouse's signature must be notarized.

**17. Justification for Absence of Spouse/Registered Domestic Partner's Signature.** Check the box that indicates the appropriate response

**18. Sign and date where indicated.** Check that all the information you have provided is accurate and sign your name and the date. Return the form to: Judges' Retirement Systems, PO Box 942705, Sacramento, CA 94229-2705.



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## **IMPORTANT TAX INFORMATION REGARDING YOUR JRS REFUND**

The Judges Retirement and the Judges Retirement II Systems (JRS) are required to provide you with this notice under §402(f) of the Internal Revenue Code. The Internal Revenue Code provides several complex rules on the taxation of the amount that you receive as a refund of your contributions in the JRS. This notice merely summarizes these rules and is not intended as tax advice. You should promptly consult a tax advisor in deciding what course to follow with respect to your JRS refund. THE JRS CANNOT PROVIDE TAX ADVICE.

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**Note that Federal tax rules require the JRS to automatically deduct 20% Federal Tax Withholding from the taxable portion of your refund unless you elect to roll over the taxable portion by Direct Rollover to an Individual Retirement Arrangement (IRA) or other qualified plan.**

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Because of your separation from a JRS covered employment, a total refund of your contributions is an "eligible rollover distribution". Your distribution may also constitute a "lump sum distribution". Special tax rules apply to eligible rollover distributions and are described below:

### **Rollover**

You may avoid current taxation on any portion of the taxable amount of an eligible rollover distribution by rolling over that portion into an IRA or another qualified employer retirement plan that accepts rollover contributions.

Not all distributions are eligible to be rolled over. Any distribution that is part of a series of substantially equal periodic payments made at least annually under a life annuity, over life expectancy or over a specified period of 10 or more years is ineligible to be rolled over. Also ineligible for rollover treatment is the amount of a distribution that is necessary to satisfy the minimum distribution requirements that apply after you turn age 70½.

A tax-free rollover of the taxable amount of an eligible rollover distribution is accomplished in one of two ways:

### **Regular Rollover**

You may take an in-hand distribution and not later than 60 days after you receive the distribution, transfer the taxable portion of the distribution to an IRA or qualified plan that accepts rollover contribution;

**OR**

### **Direct Rollover**

You may direct the JRS to transfer the taxable portion of the distribution to a specified IRA or a qualified plan that accepts rollovers after providing the JRS with any requested necessary information and completing and filing the required forms with the JRS.

Even if you plan to roll over the taxable portion of the eligible distribution, unless you elect a Direct Rollover, the JRS is required to withhold Federal taxes from the amount distributed at a rate of 20%.

**A Direct Rollover is the only way to avoid the otherwise mandatory 20 percent withholding.**

If you make a Regular Rollover, tax will be withheld even though you will not owe any taxes on the distribution. If the taxable amount of the distribution you would have received were it not for the withholding is more than the net distribution and you wish to roll over the total taxable amount you will have to make up the difference out-of-pocket. When filing your individual tax return you then can get a refund of the amount withheld to the extent you have no further tax liability.

**FIVE YEAR AVERAGING**

Generally, a lump sum distribution (as defined in §402(d) of the Internal Revenue Code, means a distribution of the entire amount in the plan, (account balance), within one taxable year that is made because of your death or separation from service, or after you reach age 50½. If your distribution qualifies under §403(d) of the Internal Revenue Code as a lump sum distribution and no part of your distribution is rolled over, you may be able to elect to have the distribution taxed under special five-year averaging rules rather than having the entire amount taxed as ordinary income. Use of the five-year averaging rules may reduce the amount of income tax you will be required to pay on this distribution. Five-year averaging may not be elected unless you have participated in the JRS, as the plan making the distribution, for any part of at least five years before the year of the distribution and unless you have attained age 59½ at the time of the distribution. Generally, you may elect five-year averaging only once.

If you attained age 50 before January 1, 1986, you may elect to have your lump sum distribution taxed under a special rule. Under this rule, you may elect to have the pre-1974 portion of a lump sum distribution taxed at a 20% rate; the remainder may be taxed either at ordinary income rates, under five-year averaging, or under special ten-year averaging provisions. If you elect ten-year averaging, 1986 tax rates will be used to compute the ten-year averaging provisions. Finally, you may elect to receive the special tax treatment described in this paragraph, (including five-year averaging), even if you are not age 59½. However, any ten-year averaging election made prior to January 1, 1987, and before attaining age 59½, does not count toward your election.

**ADDITIONAL TAX ON EARLY DISTRIBUTIONS**

As a result of changes in the law under the Federal Tax Reform Act of 1986 and conforming State of California legislation, early distributions from qualified retirement plans are now subject to an additional 10-percent Federal Penalty Tax and a 2½ % California Penalty Tax. In general, if you receive distribution from a qualified retirement plan before you reach age 59½, you must pay the additional Federal and State Penalty Tax on the taxable portion of the distribution, plus any income tax due on the distribution. There is no additional penalty tax on the portion of the distribution that is a return of you after-tax contributions.

**For tax information or advice, see your tax consultant, the Internal Revenue Service, or the State Franchise Tax Board. Consult the financial institution of your choice for additional information about rollovers. Once again, the JRS does not, and cannot, provide tax advice.**